

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**SANDY RUMBLE, et al.,**

**Plaintiffs**

**v.**

**ROBERT WATERHOUSE, et al.,**

**Defendants**

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**5:05-CV-133 (WDO)**

**ORDER**

This matter is before the Court on the Plaintiffs’ motion to lift the stay in this case. The case was stayed based on ongoing parallel civil and criminal proceedings in the state court system. Those state court proceedings involve investigations by the Georgia Insurance Commissioner and a state prosecutor’s office regarding whether individuals and/or entities involved in this case will be criminally charged based on the sale of the same insurance contracts involved in this case. A review of the materials submitted by Defendants shows the state matters are indeed ongoing, and in particular the criminal investigation. “Due to the pendency of an ‘enforcement-type proceeding’ in state court, the Younger abstention doctrine applies to this . . . action.” Sabato v. Florida Dept. of Ins., 768 F. Supp. 1562, 1567 (S.D. Fla. 1991) (citing Younger v. Harris, 401 U.S. 37, 91 S. Ct. 746 (1971); Hicks v. Miranda, 422 U.S. 332, 352, 95 S. Ct. 2281 (1975)). See also Wilton v. Seven Falls Co., 515 U.S. 277, 115 S. Ct. 2137 (1995) (a district court has broad discretion to stay federal case in favor of parallel state court proceedings). Accordingly, Plaintiffs’ motion to lift the stay is

DENIED and the case shall be STAYED for an additional 90 days from the date of this order. The attorneys are ORDERED to update the Court at the end of the 90-day period regarding the status of the underlying state court proceedings.

**SO ORDERED this 18<sup>th</sup> day of July, 2006.**

**S/  
WILBUR D. OWENS, JR.  
UNITED STATES DISTRICT JUDGE**